



**CITY OF COVINGTON, KENTUCKY  
LEGISLATIVE MEETING  
BOARD OF COMMISSIONERS  
TUESDAY, December 6, 2016, 6:00 PM**

**20 WEST PIKE STREET  
COVINGTON, KENTUCKY**

**AGENDA**

**CALL TO ORDER:** Mayor Sherry Carran

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Reading of Minutes of the meetings of November 15, 2016 (or motion to dispense with reading and approve minutes).

**PRESENTATIONS:**

**ITEMS FOR CONSIDERATION:**

**NEW BUSINESS – FIRST READING OF ORDINANCES**

1. Consider Ordinance No. O-xx-16 entitled: **AN ORDINANCE ESTABLISHING DATES OF THE REGULAR LEGISLATIVE MEETINGS OF THE COVINGTON BOARD OF COMMISSIONERS FOR JANUARY 2017.**

**Staff Reporting:** Larry Klein, City Manager  
**First Reading, No Vote**

## **OLD BUSINESS – SECOND READING OF ORDINANCES**

2. Consider Ordinance No. O-xx-16 entitled: **AN ORDINANCE AMENDING SECTION 97.06 OF THE COVINGTON CODE OF ORDINANCES REFLECTING MODIFICATIONS AND IMPROVEMENTS REGARDING THE CITY’S PRACTICES AND PROCEDURES FOR ABANDONED URBAN PROPERTIES.**

**Staff Reporting:** Michael Bartlett, Senior Assistant City Solicitor/ABC Administrator

**Recommendation:** Approve Ordinance

3. Consider Ordinance No. O-xx-16 entitled: **AN ORDINANCE AMENDING SECTION 111.025, ALCOHOLIC BEVERAGES, LICENSING AND HEARINGS, OF THE COVINGTON CODE OF ORDINANCES TO UPDATE ALCOHOLIC BEVERAGE LICENSES AND FEES AND ESTABLISH NEW LICENSE RENEWAL DATES CONSISTENT WITH STATE LICENSE RENEWAL DATES.**

**Staff Reporting:** Michael Bartlett, Senior Assistant City Solicitor/ABC Administrator

**Recommendation:** Approve Ordinance

## **NEW BUSINESS – ORDER/RESOLUTIONS**

4. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION RECOGNIZING THE MANY INDIVIDUALS AND ORGANIZATIONS WHO RESPONDED TO THE NEEDS OF THE DISPLACED RESIDENTS AFTER THE FIRE AT ST. ALOYSIUS APARTMENTS ON FRIDAY, NOVEMBER 18, 2016.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

5. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF COVINGTON, KENTUCKY, AUTHORIZING THE ISSUANCE OF TAXABLE INDUSTRIAL BUILDING REFUNDING REVENUE BONDS, SERIES 2016, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$7,650,000.00, THE PROCEEDS OF WHICH SHALL BE USED TO REFUND OUTSTANDING \$8,175,00.00 (ORIGINAL ISSUE AMOUNT) CITY OF**

**COVINGTON, KENTUCKY INDUSTRIAL BUILDING REFUNDING REVENUE BONDS SERIES 2006, WHICH WERE ISSUED TO REFUND BONDS ORIGINALLY ISSUED TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN INDUSTRIAL BUILDING FACILITY LOCATED WITHIN THE CITY OF COVINGTON, KENTUCKY AND TO IMPROVE SAID FACILITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SAID BONDS; AUTHORIZING AN AMENDED AND RESTATED LEASE AGREEMENT BETWEEN THE CITY OF COVINGTON, KENTUCKY AND ROEBLING ROW, LLC, OR ASSIGNS, WITH RESPECT TO THE FACILITY (THE "AGREEMENT"); AUTHORIZING A TRUST INDENTURE APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND FURTHER TO SECURE THE PAYMENT OF SAID BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT; AND AUTHORIZING A HOME OFFICE PAYMENT AGREEMENT. *The Roebling Row development was made possible through the utilization of industrial revenue bonds. The City retains title to the land upon which the project was constructed and must be a party to any refunding transaction.***

**Staff Reporting:** Don Warner, Development Manager

**Recommendation:** Approve Order/Resolution

6. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF LIEUTENANT ERIC MONCRIEF FROM THE COVINGTON FIRE DEPARTMENT, EFFECTIVE NOVEMBER 15, 2016.**

**Staff Reporting:** Dan Mathew, Fire Chief

**Recommendation:** Approve Order/Resolution

7. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PROMOTION OF ENGINEER KRISTA DEYER TO LIEUTENANT IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE NOVEMBER 15, 2016.**

**Staff Reporting:** Dan Mathew, Fire Chief

**Recommendation:** Approve Order/Resolution

8. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PROMOTION OF FIREFIGHTER SEAN SCHATZMAN**

**TO ENGINEER IN THE COVINGTON FIRE DEPARTMENT, EFFECTIVE NOVEMBER 15, 2016.**

**Staff Reporting:** Dan Mathew, Fire Chief

**Recommendation:** Approve Order/Resolution

9. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT WITH PRAETORIAN DIGITAL FOR A FIRE AND EMS ACADEMY ONLINE TRAINING SUBSCRIPTION, IN AN AMOUNT OF \$5,056.00, PAYABLE FROM GENERAL FUND.** *Fire and EMS Academy is an online subscription for fire and EMS training resources.*

**Staff Reporting:** Dan Mathew, Fire Chief

**Recommendation:** Approve Order/Resolution

10. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING AN AMENDMENT TO THE CURRENT MOU WITH FEMA TASK FORCE-1 TO INCLUDE KURT THOMAS AS A REPRESENTATIVE MEMBER.**

**Staff Reporting:** Dan Mathew, Fire Chief

**Recommendation:** Approve Order/Resolution

11. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PROMOTION OF KENNY HAMM FROM DRIVER TO LIGHT EQUIPMENT OPERATOR IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, EFFECTIVE DECEMBER 7, 2016.** *There is currently an opening in the Right-of-Way division for a light equipment operator. Mr. Hamm has passed the operator's test.*

**Staff Reporting:** Rick Davis, Public Services Director/Assistant City Engineer

**Recommendation:** Approve Order/Resolution

12. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF KYLE HODGE AS A LABORER I IN THE DEPARTMENT OF PUBLIC IMPROVEMENTS, EFFECTIVE DECEMBER 7, 2016.**

**Staff Reporting:** Mike Yeager, Development Director/City Engineer

**Recommendation:** Approve Order/Resolution

13. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AMENDING THE MAINSTRASSE PARKING PLAN (O/R-311-15 AND O/R-287-16) ADDING ONE PARK PARKING SPACE AT 327 WEST SIXTH STREET.** *This parking space is available with the removal of the parklet that was situated there. This will be a paid spot.*

**Staff Reporting:** Mike Yeager, Development Director/City Engineer

**Recommendation:** Approve Order/Resolution

14. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A REJECTION LETTER FOR GRANT FUNDS AWARDED FOR THE WATER BRIDGE CROSSING OF THE LICKING RIVER.** *The City was awarded TAP funding to perform structural engineering review, civil engineering design, property acquisition and initial construction on the bridge. After looking into the feasibility of the project and speaking with the City of Wilder, staff believes that this is not a viable project.*

**Staff Reporting:** Mike Yeager, Development Director/City Engineer

**Recommendation:** Approve Order/Resolution

15. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR ENGINEERING AND ARCHITECTURAL DESIGN SERVICES FOR THE BEHRINGER CRAWFORD MUSEUM.** *In 2013, the joint Devou Boards allocated \$175,600 to the museum to utilize for building improvements. In June of 2016, the boards approved the use of the remaining funds, not to exceed \$40,000 for design services to get a better cost estimate of the building expansion.*

**Staff Reporting:** Rosie Santos, Parks and Recreation Manager

**Recommendation:** Approve Order/Resolution

16. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF AN INVITATION FOR BIDS FOR CONSTRUCTION OF PHASES 2 AND 3 OF THE LICKING RIVER GREENWAY TRAILS.** *Phases 2 and 3 of the trail project will connect the trail from the Clayton-Meyer Park to Austinburg Park (Phase 2) and ultimately to Randolph Park (Phase 3) a total of two mile from 22<sup>nd</sup> Street to 8<sup>th</sup> Street.*

**Staff Reporting:** Rosie Santos, Parks and Recreation Manager

**Recommendation:** Approve Order/Resolution

17. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING AN INCREASE OF THE ANNUAL CONTRIBUTION TO THE CITY EMPLOYEES RETIREMENT PLAN FUND PROVIDING FUNDING AT 100% OF THE RECENT ACTUARIAL VALUATION REPORT, PAYABLE FROM GENERAL FUND.**

**Staff Reporting:** Lisa Desmarais, Director of Finance and Operations

**Recommendation:** Approve Order/Resolution

18. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING AN INCREASE OF THE ANNUAL CONTRIBUTION TO THE POLICE AND FIREMENS' RETIREMENT PLAN FUND PROVIDING FUNDING AT 100% OF THE RECENT ACTUARIAL VALUATION REPORT, PAYABLE FROM GENERAL FUND.**

**Staff Reporting:** Lisa Desmarais, Director of Finance and Operations

**Recommendation:** Approve Order/Resolution

19. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE UPDATED CITY ORGANIZATION CHART.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

20. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH AFSCME, AFL-CIO, AND LOCAL 237 APPROVING THE REFERENCED BASED PRICING PLAN AS AN OPTION IN THE CITY'S HEALTH CARE PLAN FOR AFSCME MEMBERS, AND TO APPROVE AFSCME'S PARTICIPATION IN THE CITY'S DRUG AND ALCOHOL FREE WORKPLACE POLICY.**

**Staff Reporting:** Frank Warnock, City Solicitor/Assistant City Manager

**Recommendation:** Approve Order/Resolution

21. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN ADDENDUM TO THE MANAGEMENT AGREEMENT WITH DEVOU PROPERTIES MANAGEMENT COMPANY, LLC TO REFLECT**

**ADDITIONAL TERMS AND CONDITIONS REGARDING ALCOHOLIC BEVERAGE CONTROL LICENSES.**

**Staff Reporting:** Michael Bartlett, Senior Assistant City Solicitor/ABC Administrator

**Recommendation:** Approve Order/Resolution

22. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION OF BARRY COATES FROM THE KENTON COUNTY PLANNING COMMISSION, EFFECTIVE DECEMBER 31, 2016.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

23. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENT OF JOHN KIDD TO THE AUDIT COMMITTEE FOR A THREE-YEAR TERM, EFFECTIVE SEPTEMBER 10, 2016, AND EXPIRING SEPTEMBER 9, 2019.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

24. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE REAPPOINTMENTS OF DON SMITH AND PAMELA MULLINS TO THE COVINGTON HUMAN RIGHTS COMMISSION FOR THREE-YEAR TERMS, EFFECTIVE NOVEMBER 11, 2016, AND EXPIRING NOVEMBER 10, 2019.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

25. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENTS OF JOHN FLESCH TO THE DEVOU PARK ADVISORY COMMITTEE FOR A THREE-YEAR TERM, EFFECTIVE DECEMBER 7, 2016, AND EXPIRING DECEMBER 6, 2019 AND CHAS BRANNEN TO FILL AN UNEXPIRED TERM, EXPIRING DECEMBER 31, 2017.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

26. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING THE APPOINTMENT OF JOHN MEILING TO THE URBAN FORESTRY BOARD FOR A THREE-YEAR TERM, EFFECTIVE DECEMBER 7, 2016, AND EXPIRING DECEMBER 6, 2019, AND THE REAPPOINTMENTS FOR THREE-YEAR TERMS OF STAN NASSANO, EFFECTIVE SEPTEMBER 24, 2016, AND EXPIRING SEPTEMBER 23, 2019, AND JANE AUGÉ, AND GUS WOLF EFFECTIVE AUGUST 20, 2016, AND EXPIRING AUGUST 19, 2019.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

27. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER WITH PERFORMANCE CONSTRUCTION FOR THE DEVOU GOLF & EVENT CENTER PROJECT INCREASING THE ORIGINAL CONTRACT AMOUNT OF \$5,252,925.00 TO \$5,399,711.92, AN AMOUNT OF \$146,786.92.** *The pro forma for the Devou Golf & Event Center project Center project included a 5% contingency funding for necessary change orders to the contract due to unforeseen costs. Performance Construction has incurred additional costs making a change order necessary.*

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

28. Consider Order/Resolution No. O/R-xx-16 entitled: **AN ORDER/RESOLUTION APPROVING A DISBURSEMENT OF FUNDS TO NON-UNION EMPLOYEES, PURSUANT TO SECTION 4.1 OF THE FISCAL STABILITY ORDINANCE, O-50-15, TO SHARE THE PROCEEDS OF THE ALLOCATION OF THE CARRYOVER OF FUNDS PROVIDED FOR COMPENSATION OF CITY EMPLOYEES IN THE EVENT THAT FUNDS ARE AVAILABLE AFTER OTHER OBLIGATIONS HAVE BEEN SATISFIED.**

**Staff Reporting:** Larry Klein, City Manager

**Recommendation:** Approve Order/Resolution

**PROJECT UPDATE:**

**Next regularly scheduled Legislative Commission Meeting: 6:00 PM, Tuesday, December 20, 2016.**

**Next regularly scheduled Caucus Meeting: 6:00 PM, Tuesday, December 13, 2016.**

**PUBLIC COMMENTS**

**COMMISSIONERS' COMMENTS**

**CITY MANAGER'S COMMENTS**

**CITY SOLICITOR'S COMMENTS**

**MAYOR'S COMMENTS**

**ADJOURNMENT**